


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

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2011 AUG 31 P 3:21

William Joseph Blom,)	
)	
Petitioner,)	
)	Civil Action No. 6:11-422-SB
v.)	
)	
A.J. Padula,)	<u>ORDER</u>
)	
Respondent.)	
_____)	

This matter is before the Court upon the Petitioner's pro se petition for habeas corpus, filed pursuant to 28 U.S.C. § 2254. On February 28, 2011, the Petitioner filed a motion to stay this matter to exhaust his state remedies. The Respondent filed a response to the Petitioner's motion to stay as well as its return and motion for summary judgment on June 23, 2011. On August 2, 2011, the Magistrate Judge, in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02(B)(2)(c), issued a report and recommendation ("R&R") addressing the Petitioner's motion to stay.

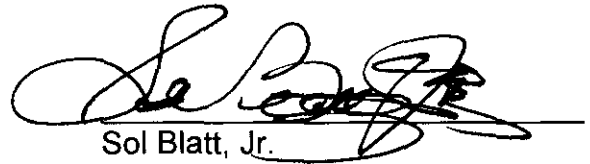


In the R&R, the Magistrate Judge recommends that the Court deny the Petitioner's motion to stay, noting that the Petitioner has already exhausted all available state remedies. Specifically, the Magistrate Judge noted that the Petitioner timely pursued a direct appeal and a post-conviction relief action and that a "stay and abey" is not a recognized option where a petition presents only exhausted claims, as is the case here. Attached to the R&R was a notice advising the Petitioner of his right to file specific, written objections to the R&R within 14 days of the date of service of the R&R. To date, no objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a Magistrate Judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v. Shriners's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, because the Petitioner did not file any specific, written objections, there are no portions of the R&R to which the Court must conduct a de novo review. After review, the Court agrees with the Magistrate Judge's analysis and hereby adopts the R&R. Accordingly, it is hereby

ORDERED that the Petitioner's motion to stay (Entry 6) is denied.

IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

August 31, 2011
Charleston, South Carolina

#2